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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/889,073	07/11/2001	Young Sang Cho	P/2803-40	6826

7590 11/02/2004
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1180 Avenue of the Americas
New York, NY 10036-8403

EXAMINER

SINGH, RAMNANDAN P

ART UNIT	PAPER NUMBER
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2644

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/889,073

Applicant(s)

CHO ET AL.

Examiner

Ramnandan Singh

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

U.S. National Stage Application

1. Acknowledgment is made of the indication that the present application is filed under 35 U.S.C. 371. In this context, Applicant's PCT published as WO 01/45358 A1, dated 21 June 2001, has been received.

Priority

2. Acknowledgment is made of the indication of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). However, the **certified copies of foreign applications** : (i) Republic of Korea P. 1999-50958 dated 16 Nov. 1999; and (ii) Republic of Korea P. 2000-14367 dated 21 March 2000 have NOT been received.

Specification

3. The abstract of the disclosure is objected to because it is too long. Correction is required. See MPEP § 608.01(b).

4. The title of the disclosure is objected to because it is too long. The suggested title is given below:

METHOD AND APPARATUS OF DETECTING AN INCOMING TELEPHONE
CALL BY DESIRED SOUND AND DOLL'S MOVING

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-6, 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim [US 5,854,826] in view of Oba [US 6,190,227 B1].

Regarding claim 1, Kim teaches a telephone for visually and aurally reporting a call arrival to a user shown in Fig. 1, comprising:

a speaker (24) for outputting a sound;

a power source (i.e. **power supply**) (not shown) for providing a driving power

[Fig. 2; col. 5, lines 43-44];

a mode selector (22) for selecting an operation mode between a recorded mode and a reproduction mode [col. 4, lines 12-28];

an arrival detector (16) and a ring generating unit (18) for generating an arrival detecting signal by detecting a call connection signal applied through a telephone line [Figs. 1, 2; col. 5, lines 18-42];

a sound source (20) for providing a sound source signal to be reproduced through the speaker while call connection signal is detected [col. 3, lines 18-26; col. 4, lines 12-16; col. 4, lines 48-63]; and

a sound source recording/reproduction (20) operating according to a selected state of the mode selector (22) [Figs. 1, 2; col. 6, lines 18-54; col. 8, lines 9-18; col. 9, lines 11-15; col. 10, lines 11-21; col. 3, line 51 to col. 4, line 47; col. 5, lines 43-62; claims 1, 9, 15].

Kim does not teach expressly a toy body for performing a predetermined movement by receiving the driving power in response to the arrival detecting signal.

Oba teaches a toy body for performing a predetermined movement by receiving the driving power in response to the arrival detecting signal while emitting a sound and/or a light, thereby visually and aurally reporting to a person around the toy that the portable terminal 3 has received the incoming call [Figs. 1-3; col. 2, lines 45-67; col. 3, lines 26-41; col. 3, lines 54-60; col. 4, lines 6-11; Abstract].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the toy body of Oba with Kim in order to report a call arrival state of a telephone so that the call is visually and aurally reported in an amusing fashion to a person around the toy [Oba; col. 1, lines 4-9; col. 1, lines 31-38].

Claim 12 is essentially similar to claim 1 and is rejected for the reasons stated above.

Regarding claim 2, Oba teaches operating a toy body, as shown in a block diagram in Fig. 2, wherein motor (11) is used to control the movement of the toy body [col. 2, lines 10-19; col. 3, lines 17-59; claim 9; Abstract]. Although Oba does not teach expressly using a gear assembly for enabling the toy to perform various predetermined movements, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to use any gear assembly for the toy to enable it to perform various degrees of movement in conjunction with the motor subject to circuit, system and design constraints.

Claims 8, 10 are also rejected for the reasons stated in claim 2 above.

Regarding claim 11, although Oba does not teach expressly integrating the toy with the sound source recorder/reproducer and power supply sub-systems of the telephone of Kim, it would have been obvious to one of ordinary skill in the art, at the

time the invention was made, to integrate the toy body with the various subsystems of Kim in order to meet the performance specification of the telephone for visually and aurally reporting the call arrival to a user, subject to circuit, system and design constraints.

Regarding claim 3, Kim teaches the telephone for visually and aurally reporting the call arrival, shown in Fig. 1, comprising a controller, a mode selector 12, recording/reproduction unit (20) and speaker wherein the microphone is not shown.

Regarding claim 4, Kim teaches the telephone for visually and aurally reporting the call arrival, wherein the sound source recorder/reproducer comprises a sound source (18) in conjunction with voice storage unit (20) [Fig. 1].

Regarding claims 5-6, the limitations are shown above.

Regarding claim 9, see Fig. 3 of Oba.

Regarding claim 13, Kim teaches the call arrival reporting method wherein the mode selector 22 is applied to select a mode of recorder/reproducer [col. 4, lines 12-28].

Regarding claim 14, the combination of Kim and Oba teaches the call arrival reporting method wherein the step further comprises detecting an extinguishing point

(i.e. **rapidly weakening point**) of the call arrival signal, for stopping the sound reproduction system through the speaker and the provision of the power supply to the toy body [Oba; col. 1, line 63 to col. 2, line 3; col. 2, lines 21-29; col. 3, line 61 to col. 4, line 4; claims 1-3].

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kim and Oba as applied to claim 1 above, and further in view of Tsunoda [US 4,737,986].

Regarding claim 7, the combination of Kim and Oba does not teach expressly a photo coupler for detecting an incoming call. However, it is well-known in the art.

Tsunoda teaches a call arrival detector comprising photo couplers to detect an incoming call [Figs. 1-4; col. 1, lines 13-31; col. 2, lines 16-35].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Tsunoda with the combination of Kim and Oba in order to economize the circuit arrangement [col. 1, lines 34-40].

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2644

Festa [US 4,480,153] teaches a musical-output adapter for telephones [Figs. 1-3B; Abstract].

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramnandan Singh whose telephone number is (703)308-6270. The examiner can normally be reached on M-F(8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester Isen can be reached on (703)-305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramnandan Singh
Examiner
Art Unit 2644



FORESTER W. ISEN
SUPERVISORY PATENT EXAMINER